

### Remarks

Applicants have carefully reviewed the office action dated April 2, 2003. Applicants respectfully traverse all objections, rejection, and assertions made in this office action. With this amendment, claims 49 and 75 have been amended. Claims 49-100 remain pending.

Claims 49-55 and 61-64 are rejected under 35 U.S.C. §102(e) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being unpatentable over Sirhan et al. in U.S. Patent No. 5,743,875. Applicants respond to this rejection by amending claim 49 to include the limitation that the first tube includes a tube wall having proximal portion, a distal portion, and an intermediate tie-layer portion disposed between the proximal and distal portions, and that the intermediate tie-layer portion is disposed at an angle relative to said wall. This structural feature does not appear to be disclosed or taught in Sirhan et al. Accordingly, Applicants respectfully submit that based on this amendment, claim 49 is now in condition for allowance. Because claims 50-55 and claims 61-64 depend from claim 49, they are allowable based on this amendment and because they add significant elements to distinguish them from the prior art.

Claims 56, 67, 69, and 73 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Fontirroche et al. in U.S. Patent No. 5,538,510. As described above, Applicants respectfully submit that amended claim 49 is distinguishable from Sirhan et al. Accordingly, claim 49 is believed to be allowable. Because claims 56, 67, 69, and 73 depend from allowable claim 49, they are allowable based on the above remarks and because they add significant elements to distinguish them from the prior art.

Claims 57, 66, 68, 70, and 74 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Fontirroche et al. as applied above, and further in view of Berg et al. in U.S. Patent No. 5,792,116. As described above, Applicants respectfully submit that amended claim 49 is distinguishable from Sirhan et al. Accordingly, claim 49 is believed to be allowable. Because claims 57, 66, 68, 70, and 74 depend from allowable claim 49, they are allowable based on the above remarks and because they add significant elements to distinguish them from the prior art.

Claim 58 was rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Javier, Jr. et al. in U.S. Patent No. 6,093,177. As described above, Applicants respectfully submit that amended claim 49 is distinguishable from Sirhan et al. Accordingly, claim 49 is believed to be allowable. Because claim 58 depends from allowable claim 49, it is allowable based on the above remarks and because it adds significant elements to distinguish it from the prior art.

Claims 59, 65, and 71 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Javier, Jr. et al. as applied to claim 58 above and further in view of Fontirroche et al. As described above, Applicants respectfully submit that amended claim 49 is distinguishable from Sirhan et al. Accordingly, claim 49 is believed to be allowable. Because claims 59, 65, and 71 depend from allowable claim 49, they are allowable based on the above remarks and because they add significant elements to distinguish them from the prior art.

Claims 60 and 72 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Javier, Jr. et al., further in view of Fontirroche et al. as applied to claim 59, and further in view of Berg et al. As described above, Applicants respectfully submit that amended claim 49 is distinguishable from Sirhan et al. Accordingly, claim 49 is believed to be allowable. Because claims 60 and 72 depend from allowable claim 49, they are allowable based on the above remarks and because they add significant elements to distinguish them from the prior art.

Claims 75-81 and 87-90 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Ressemann et al. in U.S. Patent No. 5,743,875. As described in relation to claim 49 above, independent claim 75 also includes the limitation that the first tube includes a tube wall having proximal portion, a distal portion, and an intermediate tie-layer portion disposed between the proximal and distal portions, and that the intermediate tie-layer portion is disposed at an angle relative to said wall. Therefore, Applicants respectfully submit that claim 75 is distinguishable from Sirhan et al. Similarly, Ressemann et al. do not appear to disclose or teach this structural feature. Accordingly, Applicants respectfully submit that based on this amendment, claim 75 is now in condition for allowance. Because claims 76-81 and 87-90 depend from allowable claim 75, they are allowable based on the above remarks and because they add significant elements to distinguish them from the prior art.

Claims 82, 93, 95, and 99 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Ressemann et al. as applied above and further in view of Fontirroche et al. As

described above, Applicants respectfully submit that amended claim 75 is now in condition for allowance. Because claims 82, 93, 95, and 99 depend from allowable claim 75, they are allowable based on the above remarks and because they add significant elements to distinguish them from the prior art.

Claim 83 was rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Ressemann et al. as applied above and further in view of Berg et al. As described above, Applicants respectfully submit that amended claim 75 is now in condition for allowance. Because claim 83 depends from allowable claim 75, it is allowable based on the above remarks and because it adds significant elements to distinguish it from the prior art.

Claims 94, 96, and 100 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Ressemann et al. as applied above and further in view of Fontirroche et al. and further in view of Berg et al. As described above, Applicants respectfully submit that amended claim 75 is now in condition for allowance. Because claims 94, 96, and 100 depend from allowable claim 75, they are allowable based on the above remarks and because they add significant elements to distinguish them from the prior art.

Claim 84 was rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Ressemann et al. as applied above and further in view of Javier Jr. et al. As described above, Applicants respectfully submit that amended claim 75 is now in condition for allowance. Because claim 84 depends from allowable claim 75, it is allowable based on the above remarks and because it adds significant elements to distinguish it from the prior art.

Claims 85, 91, and 97 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Ressemann et al. as applied above and further in view of Javier Jr. et al. As described above, Applicants respectfully submit that amended claim 75 is now in condition for allowance. Because claims 85, 91, and 97 depend from allowable claim 75, they are allowable based on the above remarks and because they add significant elements to distinguish them from the prior art.

Claims 86, 92, and 98 were rejected under 35 U.S.C. § 103(a) over Sirhan et al. in view of Ressemann et al. as applied above and further in view of Javier Jr. et al., further in view of Fontirroche et al. and further in view of Berg et al. As described above, Applicants respectfully submit that amended claim 75 is now in condition for allowance. Because claims 86, 92, and 98 depend from allowable claim 75, they are allowable based on the above

remarks and because they add significant elements to distinguish them from the prior art.

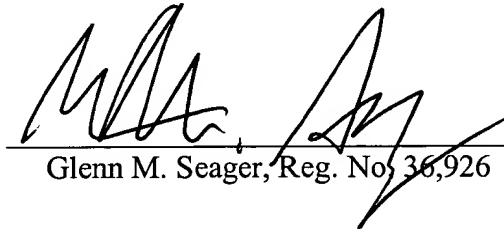
Reexamination and reconsideration are requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By their Attorney,

Date: Aug 12, 2003

  
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